

REMARKS

Claims 1-10 are pending in the application.

Claims 1-3 and 6-10 are rejected and claims 4 and 5 are objected to.

Claims 1 and 9 have been amended herein to clarify applicant's claimed invention. No new matter is entered.

Claims 4 and 5 have been amended to independent form.

Claims 1-3 and 8 are rejected under 35 U.S.C. § 102(e) as anticipated by Lauder et al. (U.S. 2002/13835) (hereinafter Lauder). Claims 9 and 10 are rejected under 35 U.S.C. § 102(e) as anticipated by De Vito et al. (U.S. 6,061,335). Under 35 U.S.C. § 103(a) claims 6 and 7 are rejected as unpatentable over Lauder in view of Moy et al. (U.S. 2003/35411).

With regard to claims 1-3 and the Lauder, the reference describes a system of connecting network elements of a first WDM network with a first bit rate to other network elements on a second optical network supporting a second bit rate. The second bit rate is substantially a multiple N of the first bit rate. With regard to claims 6 and 7, it is admitted in the Office Action that Lauder fails to describe the using of a digital wrapper method.

Lauder discloses a network hub structure for connecting a WDM network supporting a first bit rate to another network supporting a second bit rate which is substantially a multiple n of the first bit rate.

However applicant claims: a control unit transmits switching information in case where trouble has occurred in said transmission lines shared by said plurality of networks, transmits switching information in the case of trouble only to said network having said higher transmission speed in digital wrapper system.

Lauder does not disclose a process for dealing with trouble in a shared network. For example, Lauder fails to show applicant's claimed control unit, in case where trouble has

occurred in transmission lines shared by plurality of networks, transmits switching information in the case of trouble only to network having high transmission speed in a digital wrapper system.

Claim 9

With regard to claims 9 and 10 the Office Action points to De Vito et al. as showing each and every feature in applicant's rejected claims. De Vito describes a SONET network can be scaled for use in a local access network.

However applicant claims: a control unit transmits switching information in case where trouble has occurred in said transmission lines shared by said plurality of networks, transmits switching information in the case of trouble only to said network having said higher transmission speed in digital wrapper system.

It is respectfully submitted De Vito does fails to show applicant's claimed control unit, in case where trouble has occurred in transmission lines shared by plurality of networks, transmits switching information in the case of trouble only to network having high transmission speed in a digital wrapper system.

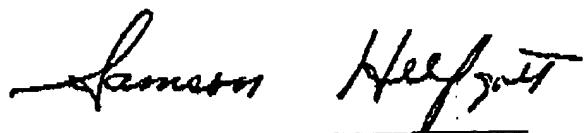
For at least the foregoing reasons it is respectfully requested the rejections be withdrawn and the claims allowed.

Please charge the amount of \$400.00 for two extra independent claim to Deposit Account 50-1290.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,



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